

Administrator – Acting
Jolaine Johnson & Leo Drozdoff

(775) 687-4670

Administration
Facsimile 687-5856

Water Quality Planning
Water Pollution Control
Facsimile 687-4684

Mining Regulations & Reclamation
Facsimile 684-5259

State of Nevada
KENNY C. GUINN
Governor



ALLEN BIAGGI, Director

Air Pollution Control
Air Quality Planning
Facsimile 687-6396

Waste Management
Federal Facilities

Corrective Actions
Facsimile 687-8335

NDEP.nv.gov

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

DIVISION OF ENVIRONMENTAL PROTECTION

333 W. Nye Lane, Room 138
Carson City, Nevada 89706

September 8, 2004

NOTICE OF DECISION WATER POLLUTION CONTROL PERMIT NUMBER NEV0087031 Post Closure

Newmont Mining Corporation Trinity Project

The Nevada Division of Environmental Protection has decided to approve a renewal of Water Pollution Control Permit NEV0087031 to the Newmont Mining Corporation. This permit authorizes the post-closure monitoring of the Trinity Project located in Pershing County. The Division has been provided with sufficient information, in accordance with Nevada Administrative Code (NAC) 445A.350 through NAC 445A.447, to assure the Division that the groundwater quality will not be degraded by this operation and that public safety and health will be protected.

The permit will become effective September 25, 2004. The final determination of the Administrator may be appealed to the State Environmental Commission pursuant to Nevada Revised Statutes (NRS) 445A.605 and NRS 445A.407. All requests for appeals must be filed by 5:00 PM, September 20, 2004, on Form 3, with the State Environmental Commission, 333 West Nye Lane, Capitol Complex, Carson City, Nevada 89706-0851. For more information, contact Mr. Karl W. McCrea directly at (775) 687-9407, toll free in Nevada at (800) 992-0900, extension 4670, or visit the Division website at <http://ndep.nv.gov/bmrr/bmrr01.htm>

One comment letter was received via U.S. mail on September 8, 2004, after close of the comment period, from Mike Nannini, Chairman, Elko County Board of Commissioners. The letter is attached to this Notice of Decision with Division responses.

NDEP Response to the Elko County Board of Commissioners

Letter received via U.S. mail on September 8, 2004
(NDEP Responses in **bold italics**)

Mr. Karl McCrea
NDEP- Bureau of Mining Regulation and Reclamation
333 West Nye Lane, Room 138
Carson City, Nevada 89706-0851

RE: Newmont Mining Corporation
Lone Tree Complex – Trinity Silver Mine
Water Pollution Control Permit NV0087031

Dear Mr. McCrea:

Elko County supports the renewal of a water pollution control permit to Newmont Mining Corporation for the Lone Tree Complex – Trinity Silver Mine. We believe this project will cause minimal impact to the area and will be in keeping with the County Commissioner's position of wise multiple use of public lands.

Over the years, Newmont has successfully provided environmentally friendly mining operations that has furnished a base for jobs and taxes in Northeastern Nevada. They have repeatedly shown that they are a responsible component of our community. Newmont Mining continues to operate in compliance with applicable state and federal environmental requirements in an ever more difficult regulatory climate.

Sincerely,

Mike Nannini, Chairman
Elko County Board of Commissioners

DIVISION COMMENTS:

Comments noted.